UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 22-20296-CR-MARTINEZ/BECERRA

UNITED STATES OF AMERICA

       Plaintiff,

vs.

JOSHUA DAVID NICHOLAS,

       Defendant.

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ORDER ADOPTING MAGISTRATE'S
REPORT AND RECOMMENDATION ON CHANGE OF PLEA

THIS CAUSE came before the Court upon the Order of Reference from the District Court to conduct a Change of Plea Hearing before a Magistrate Judge.

THE MATTER was heard in front of Magistrate Judge Jacqueline Becerra on September 8, 2022 [DE: 27] at the request of the Defendant, the Defendant's Attorney, and the Assistant United States Attorney assigned to this case. A Report and Recommendation was filed on September 12, 2022, recommending that the Defendant's plea of guilty be accepted [DE: 29]. The Defendant and the Government were afforded the opportunity to file objections to the Report and Recommendation, however none were filed. The Court has conducted a <u>de novo</u> review of the entire file and after careful consideration, the Court affirms and adopts the Report and Recommendation. Accordingly, it is hereby:
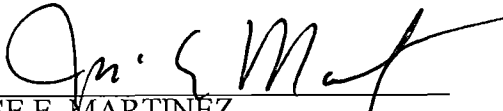
ORDERED AND ADJUDGED that the Report and Recommendation [DE: 29] of United States Magistrate Judge Jacqueline Becerra, is hereby **AFFIRMED** and **ADOPTED** in its entirety.

The Defendant is adjudged guilty of Counts II of the Indictment. Count II charges Defendant with conspiracy to commit Securities Fraud, in violation of Title 18, U.S.C. § 371. The Defendant acknowledged that he understood the statutory penalties that apply in his case.

Sentencing has been set in this matter on **Monday, November 28, 2022, at 10:30 a.m.,** before the Honorable District Judge Jose E. Martinez, at the Wilkie D. Ferguson, United States

Courthouse, 400 N. Miami Avenue, Courtroom 10-1, Miami, Florida 33128.

DONE AND ORDERED in Chambers at Miami, Florida, this 26 day of September, 2022.

JOSE E. MARTINEZ
UNITED STATES DISTRICT JUDGE

cc:
Hon. Magistrate Jacqueline Becerra
All Counsel of Record
U.S. Probation Office